

Application No.: 09/767,057
Filing Date: January 22, 2001
Page: 2

REMARKS

Claims 1, 3 through 16 and Claim 21 are pending in the application.

Applicants acknowledge with gratitude the Examiner's indication that Claims 1, 3 through 16 and 21 are allowable upon entry of the enclosed terminal disclaimer.

Reexamination and reconsideration of this application, withdrawal of all rejections, and formal notification of the allowability of the pending claims are earnestly solicited.

Submission of Terminal Disclaimer

Claims 1, 3 through 16 and 21 stand rejected under the judicially created doctrine of obviousness-type double patenting in light of United States Patent Nos. 6,521,351 and 6,939,600. Solely to advance prosecution of the case and without addressing the merits of the rejection, Applicants respectfully submit herewith a terminal disclaimer, as suggested by the Examiner. More particularly, Applicants submit herewith a terminal disclaimer that disclaims the terminal part of any patent granted on the above-identified application extending beyond the expiration date of the full statutory terms of United States Patent Nos. 6,521,351 and 6,939,600.

Accordingly, Applicants respectfully request withdrawal of this rejection.

CONCLUSION

It is respectfully submitted that Applicants have made a significant and important contribution to the art, which is neither disclosed nor suggested in the art. It is believed that all of pending Claims 1, 3 through 16 and 21 are now in condition for issuance. It is requested that the Examiner telephone the undersigned if any questions remain to expedite issuance of this application.

Application No.: 09/767,057
Filing Date: January 22, 2001
Page: 3

It is not believed that extensions of time or fees are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time and/or fees are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required is hereby authorized to be charged to Deposit Account No. 50-2193.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to facsimile no. (571) 273 - 8300 at the United States Patent and Trademark Office on March 20, 2006.

Claire Wygand
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